

EXHIBIT 7

Excerpts of Deposition of Jeremy Lappen Mar. 3, 2017

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

Cung Le, Nathan Quarry, Jon)
Fitch, on behalf of)
themselves and all others)
similarly situated,)
)
Plaintiffs,)
)
v.) Lead Case No.
) 2:15-cv-01045-RFB-(PAL)
Zuffa, LLC, d/b/a Ultimate)
Fighting Championship and)
UFC,)
)
Defendant.)
_____)

VIDEOTAPED DEPOSITION OF JEREMY LAPPEN

LOS ANGELES, CALIFORNIA

February 28, 2017

11:13 a.m.

Reported By:
Tracy Mafi, CSR No. 11850
Job No. 48785

1 JEREMY LAPPEN,
2 a Witness here, having been first duly sworn by
3 the Certified Shorthand Reporter, was examined
4 and testified as follows:

5
6 THE REPORTER: Please raise your right
7 hand.

8 Do you solemnly state that the testimony
9 that you will give in this matter shall be the
10 truth, the whole truth, and nothing but the truth,
11 so help you God?

12 THE WITNESS: I do.

13
14 EXAMINATION

15 BY MR. RAYHILL:

16 Q Okay. Good morning.

17 A Good morning.

18 Q My name is Kevin Rayhill. I represent the
19 plaintiffs in this case. And I'm going to ask you
20 some questions today about your role -- your various
21 roles in the MMA industry.

22 To start off I'd just like to note for the
23 record that before we started I presented you with
24 the stipulation and protective order that's been
25 adopted by the court in this case and that

1 correct?

2 MR. McSWEENEY: Objection to form. Calls
3 for speculation and mischaracterizes prior
4 testimony.

5 THE WITNESS: Scott Coker does have
6 knowledge of that area. That was not why we did the
7 co-promotion with him.

8 BY MR. RAYHILL:

9 Q When you were president of fight operations
10 at Pro Elite -- let me -- let me take a step
11 backwards.

12 Does the word "counter program" mean
13 anything to you?

14 A Yes.

15 Q Can you explain what that means.

16 A It's when somebody puts a program on
17 another channel at the same time that you're doing
18 your program in the hopes of drawing away your
19 audience.

20 Q And when you were president of fight
21 operations at Pro Elite, did any other promotion
22 ever counter program your events?

23 MR. McSWEENEY: Objection to form. Calls
24 for speculation.

25 THE WITNESS: Yes.

1 BY MR. RAYHILL:

2 Q Do you remember a specific time when
3 another promotion counter programmed to one of your
4 events?

5 A I don't remember the specific times, but I
6 know that the UFC counter programmed our events.

7 Q Would you say that happened often while you
8 were president of fight operations?

9 MR. McSWEENEY: Objection to form. Calls
10 for speculation.

11 THE WITNESS: I don't remember how often it
12 happened. It happened more than once. But I don't
13 remember how many times.

14 BY MR. RAYHILL:

15 Q And based on your experience as president
16 of fight operations and your experience in the MMA
17 industry generally, would you say that the counter
18 program had an impact on Pro Elite's event to put on
19 a profitable event?

20 MR. McSWEENEY: Objection to form. Calls
21 for speculation.

22 BY MR. RAYHILL:

23 Q Let me rephrase that question.

24 A Okay.

25 Q Do you have a sense of whether the counter

1 STATE OF CALIFORNIA)
2) ss.
3 COUNTY OF ORANGE)
4

5 I, Tracy Mafi, do hereby certify:

6 That I am a duly qualified Certified
7 Shorthand Reporter, in and for the State of
8 California, holder of Certificate No. 11850, which
9 is in full force and effect and that I am authorized
10 to administer oaths and affirmations;

11 That the foregoing deposition testimony of
12 the herein named witness was taken before me at the
13 time and place herein set forth;

14 That prior to being examined, the witness
15 named in the foregoing deposition, was duly sworn or
16 affirmed by me, to testify the truth, the whole
17 truth, and nothing but the truth;

18 That the testimony of the witness and all
19 objections made at the time of the examination were
20 recorded stenographically by me, and thereafter
21 transcribed under my direction and supervision;

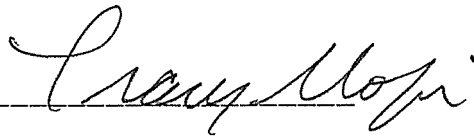
22 That the foregoing pages contain a full,
23 true and accurate record of the proceedings and
24 testimony to the best of my skill and ability;

25 That prior to the completion of the

1 foregoing deposition, review of the transcript was
2 requested.

3 I further certify that I am not a relative
4 or employee or attorney or counsel of any of the
5 parties, nor am I a relative or employee of such
6 attorney or counsel, nor am I financially interested
7 in the outcome of this action.

8
9 IN WITNESS WHEREOF, I have subscribed my
10 name this 14th day of March, 2017.

11
12
13 
14 _____

15 Tracy Mafi, CSR No. 11850
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